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APPLICANTS:

Parikh

APPLICATION NO.

09/282,471

EXAMINER:

Gollamudi S. Kishore

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1615

For:

Fenofibrate Microparticles

MAIL STOP AMENDMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

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TERMINAL DISCLAIMER

The owner, Jagotec AG., of 100 percent interest in the instant application (by virtue of the documentary evidence submitted herewith) hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term of any patent granted on co-pending reference U.S. Application Number 09/443,863, filed November 19, 1999, as such term is defined in 35 U.S.C. §154 to 156 and 173, as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 to 156 and 173 of any patent granted on said reference application, as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application, in the event that any such patent:

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granted on the pending reference application: expires for failure to pay a maintenance fee, is held

unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or

terminally disclaimed under 37 C.F.R. §1.321, has all claims cancelled by a reexamination certificate, is

reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently

shortened by any terminal disclaimer filed prior to its grant.

I hereby declare that all statements made herein of my own knowledge are true and that all

statements made on information and belief are believed to be true; and further that these statements were

made with the knowledge that willful false statements and the like so made are punishable by fine or

imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful

false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned, as Applicant's attorneys of record, file this Terminal Disclaimer and the

corresponding fee required by 37 C.F.R. § 1.20(d). The Commissioner is authorized to charge any

additional fees or credit any overpayment to the account of the undersigned, Deposit Account No. 50-

0311, Ref. No. 28069-547 CIP2.

Respectfully submitted,

Dated: March 7, 2007

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